

REMARKS

Claims 1-3 are pending in this application. Claims 1-3 have been amended. Support for the amendments can be found in the original claims.

Information Disclosure Statement

The Examiner notes that Applicants have submitted an Information Disclosure Statement (IDS), which cites two (2) Japanese patents, one of which has not been entered into the application file. Applicants have attached hereto a PTO-1449 citing JP U62-129043, a copy of JP U62-129043 and an English language abstract thereof.

GENERAL COMMENTS

Applicants would like to thank the Examiner for the telephone interview, which was held on March 20, 2002, and also for agreeing to prepare an interview summary. During the interview, the Examiner and the representative for the Applicants discussed claim amendments to overcome rejections under 35 U.S.C. § 112, second paragraph, and also discussed the IDS filed by Applicants on September 28, 2002.

The Examiner indicated that the IDS filed on September 28, 2002 was not in the file at the time the Official Action was issued in December, 2001. However, in February, 2002, the IDS and the

references cited therein were associated with the file. Since that time, the Examiner has reviewed JP 51-148383 and JP 4-123233. The Examiner inquired as to whether the present invention was hollow and suggested that the Applicants comment on the references in this Amendment.

The invention disclosed in JP-51-148383 relates to a wound adhesive tape convenient for carrying and using that is a nearly flat ring-like core and a predetermined length of tape wound around the outer peripheral surface of the nearly flat ring-like core, which has a relatively thin thickness, with an adhesive surface inside. The invention disclosed in JP 4-123233, relates to a wound adhesive tape convenient for carrying that is a nearly flat-shaped ring body made of plastic, metal or paper and a predetermined length of tape wound around the outer peripheral surface of the nearly flat-shaped ring-like core, which has a relatively thin thickness, with an adhesive surface inside.

As discussed in detail below, the present invention relates to a wound adhesive tape, which comprises a substantially flat ring made of a sheet of paper, plastic film, or metal foil having a thickness of 10 μm to 100 μm and an adhesive tape wound around the outer peripheral surface of the substantially flat ring with an adhesive surface inside that is convenient for carrying, using and rewinding.

A wound adhesive tape in accordance with the present invention does not have an inflexible ring-like core. The core is such that the user can insert a finger into the core by deforming the substantially flat ring and rewind the tape if necessary. Therefore, the wound adhesive tape in accordance with the present invention is easy to rewind and is excellent in usability.

Applicant hopes these comments are helpful.

35 USC § 112

The Examiner has rejected claims 1-3 under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention. Applicants respectfully traverse the rejection.

The fact that claim language, including terms of degree, may not be precise, does not automatically render the claim indefinite under 35 U.S.C. 112, second paragraph. Seattle Box Co. v. Industrial Crating & Packaging, Inc., 731 F.2d 818, 221 USPQ 568 (Fed. Cir. 1984). Acceptability of the claim language depends on whether one of ordinary skill in the art would understand what is claimed, in light of the specification.

Applicants believe that the claims as originally presented sufficiently claimed the subject matter that the Applicant regarded as the invention. Further, Applicants believe that one of ordinary

skill in the art would understand the claimed subject matter in light of the Specification. Nonetheless, Applicants have amended the claims to remove references to "ring like", "sheet like", and "nearly flat." The amendments are intended to advance prosecution and in no way limits what the Applicants regard as the invention. The amendments indicate that the ring, which is made from a paper sheet, plastic film or metal foil, is not completely flat. Applicants respectfully request withdrawal of the rejection and reconsideration of the claims.

35 USC § 103(a)

The Examiner has rejected claims 1-3 under 35 USC § 103(a) as being unpatentable over either JP-926 abstract of Kao et al. (United States Patent 6,224,705 B1) because the references each disclose, in certain embodiments, adhesive tapes having an adhesive layer coated onto one side of a tape that is wrapped around a substantially flat core structure that is hollow. Applicants respectfully traverse this rejection.

The present invention relates to a wound adhesive tape convenient for carrying and using and provides a wound adhesive tape which comprises a substantially flat ring made of a sheet of paper, plastic film, or metal foil having a thickness of 10 μm to 100 μm and an adhesive tape wound around the outer peripheral

surface of the substantially flat ring with an adhesive surface inside.

A method of manufacturing a wound adhesive tape in accordance with the present invention will also be specifically described. A printed paper having the name of a maker or the like on one surface thereof was wound around the outer peripheral surface of a ring-like core made of a plastic plate and formed in a nearly flat shape with the printed surface inside and with parts of the printed paper overlaid on each other to thereby constitute a ring-like body formed in a nearly flat shape. Further, around the outer peripheral surface of the ring-like body formed in a nearly flat shape was wound an adhesive tape with an adhesive surface inside. Then, the above ring-like core is removed to make a wound adhesive tape.

A wound adhesive tape in accordance with the present invention does not have the above-mentioned core and comprises an adhesive tape directly wound around the outer peripheral surface of the sheet material that has been made into a ring-like body and substantially flattened. Therefore, the wound adhesive tape in accordance with the present invention is easy to rewind and is excellent in usability because when the wound adhesive tape is rewound, the ring-like body made of the sheet material, e.g., printed paper, is flexible and is easily deformed and hence a finger can be inserted inside the substantially flat ring by

deforming the substantially flat ring. Further, the wound adhesive tape in accordance with the present invention is made of a sheet material, e.g., printed paper, wound with the printed surface inside. Hence the name of a maker or the like can be printed thereon. This invention is different from that disclosed in the reference cited by the Examiner in the rejection.

Kao et al., which discloses an adhesive tape wrapped around a substantially flat core structure, is not a proper reference. The effective filing date of Kao et al. is March 25, 1999. Applicants are entitled to the benefit of priority document JP 98-1012, which was filed on October 30, 1998. A verified translation of the priority document is attached hereto as Appendix A.

Taylor et al. (United States Patent 5,269,421) and Sparatorico et al. (United States Patent 6,077,577) describe a wound adhesive tape characterized in that an adhesive tape is wound around the outer peripheral surface of a ring-like core formed in a nearly flat shape and having a relatively thin thickness with an adhesive surface inside. A core made of cardboard paper, plastic, or a metal and formed in a nearly flat shape is used for the above-mentioned wound adhesive tape. The core needs to have some degree of strength because an adhesive tape is wound around its outer peripheral surface with an adhesive surface inside usually more than 5 meters. Accordingly, the core needs to be manufactured into a ring-like body formed in a nearly flat shape with the above-

mentioned rigid material having a thickness of 1 millimeter or more. The wound adhesive tape presents a problem in usability because it is difficult to rewind the wound adhesive tape since the core, which is formed in a nearly flat shape, is stiff and the space inside the core is too narrow to insert a finger. The user had to grip the both sides of the ring-like core with the thumb and forefinger and the middle finger of one hand and had to pull the tape with the other hand. Therefore, Taylor et al. and Spatorico et al. differ from the present invention in constitution and also effect.

Snell (United States Patent 3,006,464) relates to a compact shuttle-like roll of an adhesive tape wound upon itself. It is conveniently produced by completely flattening a cylindrical roll of tape after the cardboard paper core is removed from the cylindrical roll of adhesive tape and uniting the opposing central planar surfaces. The adhesive tape roll comprises a separator strip, and an adhesive tape wound around the circumference face of the separator strip with an adhesive surface inside. The separator strip is preferably a flexible non-fibrous film, to which the contacting adhesive surfaces of the adhesive tape adhere with sufficient strength to prevent any tendency of the roll to spring open. The separator strip can be omitted and reliance placed on direct face-to-face adhesive bonding of the opposed faces of the innermost convolution of tape. Since the separator strip is

flexible, it can be flexed and inserted into position prior to completion of the flattening operation.

The compact shuttle-like roll of an adhesive tape presents a problem in usability that it is difficult to rewind the adhesive tape. The user cannot insert the fingertip inside of the adhesive tape because the inside of the adhesive tape is adhered. Therefore, Snell differs from the present invention in constitution and also effect.

Watanabe (United States Patent 4,909,388) relates to a compressed roll of toilet paper and paper towel, i.e. compressed roll paper, and more particularly to a method of an apparatus for producing a roll of compressed roll paper reduced in volume and rendered compact in size. This compressed roll paper is not convenient for carrying and the adhesive is not applied on the compressed roll paper. Therefore, Watanabe differs from the present invention in constitution and also purpose.

JP 9-255926 relates to a wound adhesive tape that is convenient for carrying. The wound adhesive tape comprises an ellipse form core, and an adhesive tape wound around the circumference face of the ellipse form core with an adhesive surface inside. The major axis of the ellipse form core is 140 millimeters or less and the minor axis is 50 percent or less of the major axis. The thickness of the ellipse form core is 0.5 millimeters or more. The ellipse form core is made of a flexible

strong material such as cardboard paper, polyethylene resin, polypropylene resin, nylon resin, etc. The ellipse form core needs to have some degree of strength because an adhesive tape is wound around its outer peripheral surface with an adhesive surface inside usually more than 5 meters. Accordingly, the core needs to be manufactured into the ellipse form body with the above-mentioned material having a thickness of 0.5 millimeters or more.

On the other hand, a ring-like body of the wound adhesive tape in accordance with the present invention is made of sheet-like material using at least one of a paper sheet, a plastic film, or a metal foil and having a thickness of 0.01 millimeter to 0.1 millimeter. Accordingly, the wound adhesive tape in accordance with the present invention is small inside and is convenient for carrying and is also excellent in usability because when the wound adhesive tape is rewound, the substantially flat ring is flexible and is easily deformed and hence a finger can be inserted easily inside the substantially flat ring by deforming the substantially flat ring. Therefore, JP 9-255926 differs from the present invention in constitution and also effect.

JP U62-129043 relates to a wound adhesive tape comprising a cylindrical form core that has something printed on the circumference face of the cylindrical form core, and a transparent adhesive tape wound around the circumference face of the cylindrical form core, and a transparent adhesive tape wound around

the circumference face of the cylindrical form core. The printed matter is the graduation of length, useful information to the user, advertisements, patterns, picture, etc. Because the adhesive tape is transparent, it is possible to see the printed matter that was printed on the surface of the cylindrical form core.

On the other hand, a wound adhesive tape in accordance with the present invention has something printed on the inner peripheral surface of the ring-like body. Conventionally, in a wound adhesive tape that has a ring-like core formed in a nearly flat shape, the printing that performed to the inside circumference face of the core was not able to expect any effect at all. It was difficult to see the printing because the core was stiff and the space inside was too narrow. A wound adhesive tape in accordance with the present invention does not have a separate ring-like core and comprises an adhesive tape directly wound around the outer peripheral surface of the ring-like body made of printed paper. Therefore, it is possible to see the printing that adhered to the inside circumference face of the substantially flat ring because the substantially flat ring body is flexible and is easily deformed. Therefore, JP U62-129043 differs from the present invention in constitution. Applicants respectfully request withdrawal of the rejection and reconsideration of the claims.

CONCLUSION

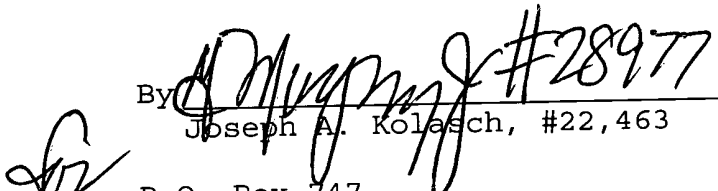
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Jaconda Wagner (Reg. No. 42,207) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Declaration Under 37 C.F.R. § 1.132
Version Showing Marked-Up Changes to Claims
PTO-1449 with JP U62-129043 and English language
abstract

VERSION SHOWING MARKED-UP CHANGES TO CLAIMS

IN THE CLAIMS

The claims are amended as follows:

1. (Amended) A wound adhesive tape comprising a substantially flat ring [like] body made of a sheet [like] material having a thickness of 10 μm to 100 μm [and formed in a nearly flat shape], and an adhesive tape wound around the outer peripheral surface of the substantially flat ring [like] body with an adhesive surface inside.
2. (Amended) A wound adhesive tape as claimed in claim 1, wherein the sheet [like] material is a material [using at least one] selected from the group consisting of a paper sheet, a plastic film, [or] and a metal foil.
3. A wound adhesive tape as claimed in claim 1, wherein the substantially flat ring [like] body [formed in a nearly flat shape] has [something printed] printing on the inner peripheral surface thereof.